

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN SCOTT MENDENHALL**, on February 16, 2005 at 3:10 P.M., in Room 172 Capitol.

ROLL CALL

Members Present:

Rep. Scott Mendenhall, Chairman (R)
Rep. Jill Cohenour, Vice Chairman (D)
Rep. Bernie Olson, Vice Chairman (R)
Rep. Elsie Arntzen (R)
Rep. John Balyeat (R)
Rep. Bob Bergren (D)
Rep. George Golie (D)
Rep. Larry Jent (D)
Rep. Jim Keane (D)
Rep. Monica Lindeen (D)
Rep. Bruce Malcolm (R)

Members Excused:

Rep. Gary MacLaren (R)

Members Absent: None.

Staff Present: Kyanne Kelly, Committee Secretary
Leanne Kurtz, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 604, 2/10/2005; HB 630,
2/10/2005; HB 673, 2/10/2005; HB
683, 2/10/2005
Executive Action: HB 518, HB 543, HB 583, HB 610, HB
504, HB 604, HB 673

HEARING ON HB 673

Opening Statement by Sponsor:

REP. EDWARD BUTCHER (R), HD 29, opened the hearing on HB 673, Alternative driver education program.
00:03:37

Proponents' Testimony:

00:08:19 Steve White, Coalition of Home Educators
[EXHIBIT\(trh38a01\)](#)
00:09:48 Katie Butcher, Student
[EXHIBIT\(trh38a02\)](#)
00:10:17 Becky Stockton, Self
[EXHIBIT\(trh38a03\)](#)
00:11:15 Trevis Butcher, Home School Educator
[EXHIBIT\(trh38a04\)](#)
[EXHIBIT\(trh38a05\)](#)
[EXHIBIT\(trh38a06\)](#)
00:16:59 Tim Ewing, Self

Opponents' Testimony:

00:19:04 Steve Yeakel, Traffic Education Association
00:21:40 Mike Harris, Drivers Education Instructor

Informational Testimony:

00:24:10 David Huff, Office of Public Instruction

Questions from Committee Members and Responses:

00:29:51

Closing by Sponsor:

00:38:13

REP. MCCLAREN entered the room.

HEARING ON HB 683

Opening Statement by Sponsor:

REP. DEE BROWN (R), HD 3, opened the hearing on HB 683, Transfer school bus inspections from Justice to Transportation.
00:44:29

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

00:46:16 Drew Livesay, Department of Transportation

Questions from Committee Members and Responses:

00:47:12

Closing by Sponsor:

00:56:55

HEARING ON HB 604

Opening Statement by Sponsor:

REP. MONICA LINDEEN (D), HD 43, opened the hearing on HB 604, Restrict cancelling homeowner's policy for hail or other damage claims.

01:03:07

Proponents' Testimony: None

Opponents' Testimony:

01:04:55 Greg Van Horssen, State Farm Insurance

01:08:13 Jacqueline Lenmark, American Insurance Association

01:12:26 Jon Metropoulous, Farmers Insurance

Informational Testimony:

01:13:56 Alisha Pichette, State Auditors Office

Questions from Committee Members and Responses:

01:14:35

Closing by Sponsor:

01:21:25

HEARING ON HB 630

Opening Statement by Sponsor:

REP. SCOTT MENDENHALL (R), HD 77, opened the hearing on HB 630, Provide regulatory flexibility for small businesses.

01:22:57

EXHIBIT(trh38a07)

Proponents' Testimony:

01:30:23 Brad Johnson, Secretary of State
01:31:15 Al Kington, Consultant Land Use Issues
01:35:06 Barbara Ranf, Montana Chamber of Commerce
01:37:12 Riley Johnson, Federation of Independent Business
01:39:45 Rhonda Carpenter Wiggers, Great Falls Chamber of
Commerce
01:41:26 Mike McGinley, Beaverhead County Commissioner

Opponents' Testimony:

01:43:13 David Ewer, Governors Budget Director

Informational Testimony: None

Questions from Committee Members and Responses:

01:49:43

Closing by Sponsor:

02:10:03

EXECUTIVE ACTION ON HB 518

Motion: REP. OLSON moved that HB 518 DO PASS.

Motion: REP. OLSON moved that HB 518 BE AMENDED.

Discussion:

02:26:32

[EXHIBIT](#)(trh38a08)

Vote: Motion carried unanimously by voice vote.

Motion: REP. OLSON moved that HB 518 DO PASS AS AMENDED.

Discussion:

02:28:36

Substitute Motion/Vote: REP. MALCOLM made a substitute motion that HB 518 BE TABLED. Substitute motion carried 11-1 by voice vote with REP. MENDENHALL voting no.

EXECUTIVE ACTION ON HB 543

Motion: REP. OLSON moved that HB 543 DO PASS.

Substitute Motion/Vote: REP. LINDEEN made a substitute motion that HB 543 BE TABLED. Substitute motion carried 10-2 by voice vote with REPS. ARNTZEN and MALCOLM voting no.

EXECUTIVE ACTION ON HB 583

Motion: REP. OLSON moved that 583 DO PASS.

Discussion:
02:32:37

Motion: REP. COHENOUR moved that HB 583 BE AMENDED.

Discussion:
02:33:39
[EXHIBIT](#)(trh38a09)

Vote: Motion carried 9-3 by roll call vote with REPS. MALCOLM, MENDENHALL, and OLSON voting no. REP. GOLIE voted by proxy.

Motion: REP. OLSON moved that HB 583 DO PASS AS AMENDED.

Discussion:
02:38:43

Vote: Motion failed 3-9 by roll call vote with REPS. COHENOUR, KEANE, and LINDEEN voting aye. REP. GOLIE voted by proxy.

Motion/Vote: REP. OLSON moved that HB 583 BE TABLED AND THE VOTE REVERSED. Motion carried 9-3 by voice vote with REPS. ARNTZEN, KEANE, and LINDEEN voting no. REP. GOLIE voted by proxy.

EXECUTIVE ACTION ON HB 610

Motion: REP. OLSON moved that HB 610 DO PASS.

Motion: REP. ARNTZEN moved that HB 610 BE AMENDED.

Discussion:
02:41:47
[EXHIBIT](#)(trh38a10)

Vote: Motion failed 6-6 by voice vote with REPS. BALYEAT, BERGREN, COHENOUR, JENT, MALCOLM, and MENDENHALL voting aye. REP. GOLIE voted by proxy.

Motion: REP. OLSON moved that HB 610 DO PASS.

Discussion:

02:45:11

Substitute Motion/Vote: REP. OLSON moved that HB 610 BE TABLED. Motion carried 8-4 by voice vote with REPS. ARNTZEN, BERGREN, MALCOLM, and MENDENHALL voting no. REP. GOLIE voted by proxy.

EXECUTIVE ACTION ON HB 504

Motion: REP. KEANE moved that HB 504 DO PASS.

Motion: REP. KEANE moved that HB 504 BE AMENDED.

Discussion:

02:48:48

[EXHIBIT](#)(trh38a11)

Vote: Motion carried 11-1 by voice vote with REP. BALYEAT voting no.

Motion: REP. KEANE moved that HB 504 DO PASS AS AMENDED.

Discussion:

02:50:23

Vote: Motion failed 5-7 by roll call vote with REPS. BERGREN, COHENOUR, GOLIE, KEANE, and LINDEEN voting aye. REP. GOLIE voted by proxy.

Motion/Vote: REP. BERGREN moved that HB 504 BE TABLED AND THE VOTE REVERSED. Motion carried 7-5 by voice vote with REPS. BERGREN, COHENOUR, GOLIE, KEANE, and LINDEEN voting no. REP. GOLIE voted by proxy.

EXECUTIVE ACTION ON HB 604

Motion: REP. LINDEEN moved that HB 604 DO PASS.

Discussion:

02:58:58

Without objection REP. LINDEEN withdrew her motion for later discussion

REP. GOLIE returned to the meeting

EXECUTIVE ACTION ON HB 673

Motion: REP. OLSON moved that HB 673 DO PASS.

Discussion:

03:00:53

Vote: Motion failed 6-6 by roll call vote with REPS. ARNTZEN, BALYEAT, MACLAREN, MALCOLM, MENDENHALL, and OLSON voting aye.

ADJOURNMENT

Adjournment: 6:25 P.M.

REP. SCOTT MENDENHALL, Chairman

KYANNE KELLY, Secretary

SM/kk

Additional Exhibits:

EXHIBIT ([trh38aad0.PDF](#))